

GARY D. JOSEPHSON #5299
Assistant Attorney General
SEAN D. REYES #7969
Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, Fifth Floor
PO Box 140874
Salt Lake City, UT 84114
Telephone: 801-366-0375
Facsimile: 801-366-0378

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

UTAH INSURANCE DEPARTMENT,

Complainant,

v.

INWEST TITLE SERVICES, INC.
2037 W. Commerce Way
West Haven, UT 84401
License No. 4639

Respondent.

STIPULATION AND ORDER

Docket No. 2015-22 PC

Enf. Case No. 3588

Judge Mark E. Kleinfield
Administrative Law Judge

STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Inwest title Services, Inc. ("Respondent"), by and through its legal counsel, hereby stipulate and agree as follows:

1. Respondent is an active Utah licensed title insurance agency authorized to do business in the State of Utah under License No. 4639. Respondent's business address is 2037 West Commerce Way, West Haven, UT 84401.
2. The Department has jurisdiction over the parties and subject matter of this

administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-210; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code § 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. This signed Stipulation and the signed and adopted Order by both the Commissioner and the Title and Escrow Commission, along with any Findings of Fact and Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

5. If an administrative hearing were held, the Department could offer evidence of the Findings of Fact presented below; therefore, the Findings of Fact and Conclusions of Law presented below are accepted by the parties.

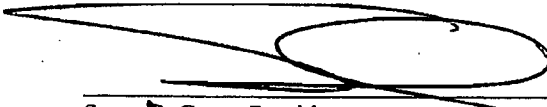
6. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

7. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

8. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

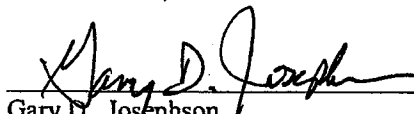
9. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

Dated this 25 day of February, 2015.



Scott B. Cope, President
INVEST TITLE SERVICES, INC.

Dated this 27th day of February, 2015



Gary D. Josephson
Assistant Attorney General
UTAH INSURANCE DEPARTMENT

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On November 4, 2014, the Department compiled a list of all title producers who had reinstated their licenses during the month of October, 2014. After reviewing the SIRCON licensing list, it was determined that Hailey F. Eagan's license had lapsed April 30, 2014 and was reinstated October 28, 2014. Eagan is Respondent's employee. Eagan's association to Respondent also lapsed on April 30, 2014, and was reinstated on October 28, 2014.
2. On December 10, 2014, a Department letter was sent to Eagan requesting a written narrative statement regarding any and all title insurance business she conducted on Respondent's behalf from April 30, 2014 through October 28, 2014.
3. On January 9, 2014, Mr. James E. Seaman, in-house counsel for Respondent,

submitted a written reply stating that thirty-three (33) closings were conducted by Eagan between April 30, 2014 and October 28, 2014.

4. On January 20, 2015, a Department email was sent to Mr. Seaman requesting a random sampling of HUD 1s for closings conducted between April 30, 2014 and October 28, 2014. These were provided to the Department.

5. On February 11, 2015, Respondent agreed to an administrative forfeiture in the amount of \$1,500.00.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Utah Code Ann. § 31A-23a-103 was violated by Respondent when it utilized the services of an unlicensed individual for the period April 30, 2014 through October 28, 2014.

2. Utah Code Ann. § 31A-23a-302(1) was violated when Respondent's utilized the services of a producer not designated or associated to it for the period April 30, 2014 through October 28, 2014.

3. Utah Code Ann. § 31A-23a-302(7)(a) requires an agency to be responsible for all individuals associated with it. Respondent violated this statute when it failed to insure its producer's license was active.

Based on the Findings and Fact and Conclusions of Law, the settlement agreement appears reasonable.

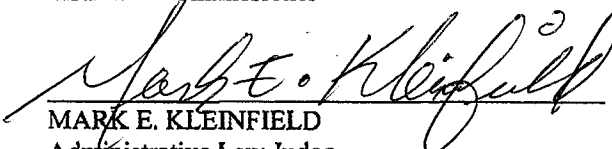
RECOMMENDED ORDER

IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE
FOLLOWING PENALTY:

Respondent shall pay an administrative forfeiture in the amount of \$1,500.00 to the
Department within 30 days of the date of the signed Order.

DATED this 27 day of February, 2015.

TODD E. KISER
Insurance Commissioner


MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department

ADOPTION OF RECOMMENDED ORDER AND IMPOSITION OF PENALTY

By a vote of _____ to _____, taken in open meeting on this date, the Title and Escrow
Commission hereby adopts the recommended order of the presiding officer and imposes the
penalty recommended above.

DATED this _____ day of _____, 2015.

JEFFREY D. WEINER, Chairman
Title and Escrow Commission

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING

The undersigned hereby certifies that on this date, a true and correct copy of the foregoing
STIPULATION AND ORDER were mailed, postage prepaid, to the following:

DATED this _____ day of _____, 2015.

INWEST TITLE SERVICES, INC.
JAMES E. SEAMAN, ESQ.
2037 W. COMMERCE WAY
WEST HAVEN, UT 84401

LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901